

**DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address, and citizenship is as stated below next to my name.

I believe I am the first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DEVICE FOR IMPEDING A ROUTE OF  
TRAVEL OF CRAWLING ARTHROPODS**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37 Code of Federal Regulations § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any U.S. provisional application(s):

**U.S. Provisional Application No. 60/181,395;  
Filed: February 9, 2000**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Sandra M. Koenig, Reg. No. 33,722  
Timothy E. Nauman, Reg. No. 32,283  
Scott A. McCollister, Reg. No. 33,961

Address all telephone calls to: Sandra M. Koenig  
at telephone number: (216) 861-5582

Address all correspondence to:

Sandra M. Koenig  
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Ernest H. Roberts

Inventor's signature: Ernest H. Roberts

Date: Dec 21, 2000

Residence: 2200 North Ridge Road  
Elyria, Ohio 44036

Citizenship: U.S.A.

Post Office Address: 2200 North Ridge Road  
Elyria, Ohio 44036

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Ernest H. Roberts  
Serial No. : Unknown  
Filed : Herewith  
Title : **DEVICE FOR IMPEDING A ROUTE  
OF TRAVEL OF CRAWLING  
ARTHROPODS**  
Attorney Docket : RTS 2 0017

**STATUS AS A SMALL BUSINESS ENTITY**

Assistant Commissioner  
For Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned declares:

That he/she is an officer of the assignee Lineguard Inc., and is empowered to act on behalf of the assignee;

That the assignee Lineguard Inc., together with all of its affiliates combined had fewer than five hundred (500) employees including full-time, part-time, and temporary employees on the average during each pay period of the previous fiscal year of the assignee and its affiliates; and,

That the assignee has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

The undersigned acknowledges a duty to file this application or patents issuing thereon, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee

or any maintenance fee due after the date on which status as a small entity is no longer appropriate.


The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issuing thereon.

LINEGUARD INC.

Date: Dec 20, 2000

By: Ernest Alabaster

Title: Chairman, President & CEO

\*Please type a plus sign (+) inside this box 

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Utility Patent Application  
Attorney Docket No.: FLG-028US  
Application No.: 09/750,831  
First Named Inventor: Ernest Roberts  
Filing Date: 12/28/00  
For: DEVICE FOR IMPEDING A ROUTE OF  
TRAVEL OF CRAWLING ARTHROPODS

As a below named inventor(s), I/we hereby appoint:

☒ **Practitioners at Customer Number 23717**  
**Law Offices of Brian S. Steinberger, P. A.**

Direct all correspondence to: Customer Number: 23717

Name: Law Offices of Brian S. Steinberger, P. A.  
Address: 101 Brevard Avenue  
City: Cocoa, FL 32922  
Country: USA  
Telephone: (321) 633-5080  
Fax: (321) 633-9322

I am the: ☒ Applicant/Inventor.

☐ Assignee of Records of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

Name: RICHARD S. PATTERSON

Richard S. Patterson  
Signature of Inventor

8-12-02  
Date



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 27, 2001

PTAS  
FAY, SHARPE, FAGAN, MINNICH, ET AL  
SANDRA M. KOENIG  
1100 SUPERIOR AVENUE, 7TH FLOOR  
CLEVELAND, OHIO 44114-2518



\*101585560A\*

RTS 2017

APR 0 2001

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

FAY, SHARPE, BEALL, FAGAN,  
MINNICH & KOENIG

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/28/2000

REEL/FRAME: 011420/0484  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
ROBERTS, ERNEST H.

DOC DATE: 12/21/2000

ASSIGNEE:  
LINEGUARD INC.  
BOX 1020  
ELYRIA, OHIO 44036

SERIAL NUMBER: 09750831  
PATENT NUMBER:

FILING DATE: 12/28/2000  
ISSUE DATE:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

# LAW OFFICES OF BRIAN S. STEINBERGER

Registered Patent Attorneys

101 Brevard Avenue Cocoa, Florida 32922

Phone (321) 633-5080 Fax (321) 633-9322

Email [brianss@gdi.net](mailto:brianss@gdi.net)

Brian S. Steinberger (Member FL, PA Bars)\*

Roland Dexter (Member TX, NJ, MA Bars)\*

Joyce P. Morlin (Member FL, MI, IN, NY Bars)\*

\* Registered Patent Attorney

In re application of: ERNEST H. ROBERTS

Application No.: 09/579,251

Date filed: 5/25/00

For: BARRIER AGAINST CRAWLING ARTHROPODS

Examiner: ARK, D.

Group No.: 3643

Attorney Docket No.: FLG-027US

In re application of: ERNEST H. ROBERTS

Application No.: 09/750,831

Date filed: 12/28/00

For: A DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS

Examiner: ARK, D.

Group No.: 3643

Attorney Docket No.: FLG-028US

In re application of: ERNEST H. ROBERTS

Application No.: 09/690,491

Date filed: 10/17/00

For: COASTER FOR SHIELDING AGAINST CRAWLING ARTHROPODS

Examiner: ARK D.

Group No.: 3643

FLG-030US

Assistant Commissioner for Patents

US Patent and Trademark Office


Washington, DC 20231

Gentlemen:

Enclosed please find a Revocation of Attorney by Assignee/Revocation of Attorney by Inventor/Revocation of Prior Powers, New Power of Attorney and Notice of Change of Correspondence Address for the above referenced U. S. Patent Applications.

Please direct all future communications regarding the above referenced patent to the undersigned.

Sincerely,

  
Brian S. Steinberger  
Registration No.: 36,423  
Customer No.: 23717


---

## CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail, in an envelope addressed to the: Assistant Commissioner for Patents, Patent and Trademark Office, Washington, D.C. 20231.

7/10/01  
Date

Brian S. Steinberger  
(Name of Person Mailing Paper)

  
(Signature of Person Mailing Paper)

In re application of: ERNEST H. ROBERTS  
Application No.: 09/579,251  
Date filed: 5/23/00  
For: BARRIER AGAINST CRAWLING ARTHROPODS  
Examiner: ARK, D.  
Group No.: 3643  
Attorney Docket No.: FLG-027US

In re application of: ERNEST H. ROBERTS  
Application No.: 09/750,831  
Date filed: 12/28/00  
For: A DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS  
Examiner: ARK, D.  
Group No.: 3643  
Attorney Docket No.: FLG-028US

In re application of: ERNEST H. ROBERTS  
Application No.: 09/690,491  
Date filed: 10/17/00  
For: COASTER FOR SHIELDING AGAINST CRAWLING ARTHROPODS  
Examiner: ARK D.  
Group No.: 3643  
FLG-030US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
Washington, DC 20231

**POWER OF ATTORNEY BY INVENTORS**  
**REVOCATION OF PRIOR POWERS**

As a named inventor for the above-identified U.S. patent applications:

**Revocation of Prior Power of Attorney**

I hereby revoke all power of attorney previously given and

**New Power of Attorney**

I hereby appoint the following attorney to prosecute and transact all business in the Patent and Trademark Office connected therewith.

BRIAN S. STEINBERGER, Reg. No. 36,423  
LAW OFFICES OF BRIAN S. STEINBERGER  
101 Brevard Avenue  
Cocoa, FL 32922

TELEPHONE: (321) 633-5080  
FACSIMILE NO.: (321) 633-9322  
CUSTOMER NO.: 23717

Name of Inventor: ERNEST H. ROBERTS  
Citizenship: USA  
Residence and Post office address: 1439 Brown Drive  
Davis, CA 95616

  
Signature

6-29-01  
Date



In re application of: ERNEST H. ROBERTS  
Application No.: 09/579,251  
Date filed: 5/25/00  
For: BARRIER AGAINST CRAWLING ARTHROPODS  
Examiner: ARK, D.  
Group No.: 3643  
Attorney Docket No.: FLG-027US

In re application of: ERNEST H. ROBERTS  
Application No.: 09/750,831  
Date filed: 12/28/00  
For: A DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS  
Examiner: ARK, D.  
Group No.: 3643  
Attorney Docket No.: FLG-028US

In re application of: ERNEST H. ROBERTS  
Application No.: 09/690,491  
Date filed: 10/17/00  
For: COASTER FOR SHIELDING AGAINST CRAWLING ARTHROPODS  
Examiner: ARK, D.  
Group No.: 3643  
FLG-030US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
Washington, DC 20231

**POWER OF ATTORNEY BY ASSIGNEE**  
**REVOCATION OF PRIOR POWERS**

As a named assignee for the above-identified U. S. patent applications:

**Revocation of Prior Power of Attorney**

I hereby revoke all power of attorney previously given and

**New Power of Attorney**

I hereby appoint the following attorney to prosecute and transact all business in the Patent and Trademark Office connected therewith.

BRIAN S. STEINBERGER, Reg. No. 36,423  
LAW OFFICES OF BRIAN S. STEINBERGER  
101 Brevard Avenue  
Cocoa, FL 32922

TELEPHONE: (321) 633-5080  
FACSIMILE NO.: (321) 633-9322  
CUSTOMER NO.: 23717

Assignee: LINEQUARD, INC  
2200 NORTH RIDGE ROAD  
ELYRIA, OHIO 44035

  
Signature  
By: ERNEST H. ROBERTS  
ERNEST H. ROBERTS  
Date: 6-29-01

Title: Chairman, President and CEO  
Type or print title

Notice of Change of Correspondence Address

Change the correspondence address on U. S. Patent Application No.: 09/579,251, filed 05/25/00,

U. S. Patent Application No.: 09/750,831, filed 12/28/00, and

U. S. Patent Application No.: 09/690,491, filed 10/17/000 to:

Law Offices of Brian S. Steinberger

Registered Patent Attorneys

101 Brevard Avenue

Cocoa, Florida 32922

USA

Customer No.: 23717

Assignee:

LINEGUARD, INC  
2200 NORTH RIDGE ROAD  
ELYRIA, OHIO 44035

Signature [Signature] Date: 6-29-01  
By: ERNEST H. ROBERTS  
ERNEST H. ROBERTS

Title: Chairman, President and CEO  
Type or print title

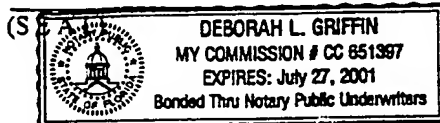
STATE OF Florida  
COUNTY OF Brevard

) SS.

On this 29th day of June, 2001, before me personally appeared, Ernest H. Roberts, the person who signed this instrument, who is personally known to me, or provided the following identification, FL Drivers License who acknowledged that he signed it as a free act on behalf of Lineguard, Inc. with full authority to do so. A 162 208 20-456 6

[Signature]  
Notary

My commission expires:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named applicant: ERNEST H. ROBERTS

Serial No.: 09/750,831

Group No.: 3635

Filed: 12/28/2000

Examiner: ~~STEVE M. VARNER~~

For: DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS

DECLARATION UNDER 37 CFR 1.131

Honorable Commissioner of Patents  
and Trademarks  
Washington DC 20231

Sir:

ERNEST H. ROBERTS and PHILIP G. KOEHLER declare that they are the inventors, who on December 28, 2000 filed the above-identified application and that the above application, claims priority to U. S. Provisional Application 60/181,395 filed February 9, 2000.

Mr. ROBERTS and Dr. KOEHLER further declare that this invention was conceived and reduced to practice in this country prior to October 26, 1998 (herein after referred to as the effective date), which was the filing date of U.S. Patent 6,230,435 to Carman.

ERNEST H. ROBERTS and PHILIP G. KOEHLER state that the invention was reduced to practice as a working prototype prior to the effective date of the 6,230,435 Carman's patent, as evidenced by invoices dated April 6, 1998, a copy of which is attached hereto as (Exhibit 1) and invoice dated July 8, 1998, a copy of which is attached hereto as (Exhibit 2), and as depicted in five photograph copies attached hereto as (Exhibit 3) and that such dates were before the "effective date" of the Carman patent.

ERNEST H. ROBERTS and DR. PHILIP G. KOEHLER further declare that they do not know and do not believe that their invention had been made public more than one year prior to the application being filed, and that they have never abandoned the invention.

MR. ROBERTS and DR. KOEHLER further declares that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

ERNEST H. ROBERTS

  
PHILIP G. KOEHLER

Dated: 7/17, 2002

Brian S. Steinberger  
Attorney of Record  
Registration No. 36,423  
Law Offices of Brian S. Steinberger, P.A.  
Registered Patent Attorneys  
101 Brevard Avenue  
Cocoa, Florida 32922  
(321) 633-5080  
Customer No.: 23717

First named applicant: ERNEST H. ROBERTS  
Serial No.: 09/750,831  
Group No.: 3635  
Filed: 12/28/2000  
Examiner: STEVE M. VARNER

For: DEVICE FOR IMPEDING A ROUTE OF TRAVEL OF CRAWLING ARTHROPODS

DECLARATION UNDER 37 CFR 1.131

Honorable Commissioner of Patents  
and Trademarks  
Washington DC 20231


Sir:

Brian S. Steinberger declares that he is a registered patent attorney, and a member of the State Bars of Florida and Pennsylvania; that ERNEST H. ROBERTS and PHILIP G. KOEHLER reduced to practice a version of their invention as evidenced by copies of invoices dated April 6, 1998 and July 8, 1998 attached as Exhibit 1 and Exhibit 2 and five copies of photographs attached as (Exhibit 3).

He further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

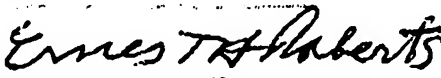
Dated: 4/17, 2002

  
Brian S. Steinberger  
Registered Patent Attorney  
Registration No. 36,423  
Law Offices of Brian S. Steinberger, P. A.  
101 Brevard Avenue  
Cocoa, Florida 32922  
(321) 633-5080  
Customer No.: 23717

Attorney Dkt: FLG-028US

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

  
ERNEST H. ROBERTS

PHILIP G. KOEHLER

Dated: 4/17, 2002

Brian S. Steinberger  
Attorney of Record  
Registration No. 35,423  
Law Offices of Brian S. Steinberger, P.A.  
Registered Patent Attorneys  
101 Brevard Avenue  
Cocoa, Florida 32922  
(321) 633-3080  
Customer No.: 23717